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**NOV 01 2005**

<b>To:</b>	Examiner Cheryl Ann Juska Group Art Unit: 1771	<b>From:</b>	Robert M. Lanning Reg. No. 57,121
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<hr/>			
<b>Subject:</b>	Application Serial No.: 10/613,241 Filed: July 3, 2003 Applicant: Keller et al. Title: Pile Fabric and Heat Modified Fiber and Related Manufacturing Process Attorney Docket: 5635		
<b>Data:</b>	November 1, 2005		
<hr/>			
<b>Copies:</b>	<b>Pages:</b> 6 (including cover)		

**Comments:**

Information disclosure Statement with 1449 attached – 5 pages

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**PATENT**  
Attorney Docket No. 5635**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Keller et al.

Application No.: 10/613,241

Filed: July 3, 2003

For: PILE FABRIC AND HEAT MODIFIED FIBER  
AND RELATED MANUFACTURING  
PROCESS

Group Art Unit: 1771

Examiner: Juska, Cheryl Ann

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RECEIVED**  
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NOV 01 2005**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

In re Application of Keller et al.  
Application No. 10/613,241

- ☐ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- ☒ after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes one of:
- ☒ the statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or
- ☐ the fee of \$180.00 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180.00 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180.00 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

#### Copies of the References

- ☒ Copies of the references identified on the accompanying Form 1449, with the exception of U.S. patents and U.S. patent application publications, are enclosed herewith.
- ☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

In re Application of Keller et al.  
Application No. 10/613,241

- ☐ A copy of the foreign search report is enclosed herewith. The submission of the foreign search report does not constitute an admission regarding the relevance of the cited documents or the propriety of the analysis set forth therein. The right is expressly reserved to argue the lack of relevance of the cited documents or the impropriety of the analysis set forth therein.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		
Application No.	Filing Date	Status

**Statement under 37 CFR 1.97(e)**

- ☒ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 CFR 1.704(d)**

- ☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

In re Application of Keller et al.  
Application No. 10/613,241

**Fees**

- ☒ No fee is owed by the applicant(s).  
☐ The IDS Fee of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

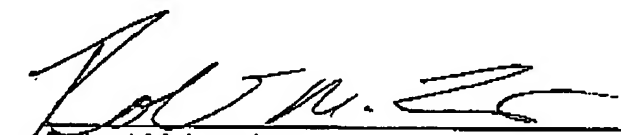
- ☐ Attached is a check in the amount of \$0.00.  
☐ Please charge Deposit Account No. 04-0500 in the amount of \$0.00. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

**Authorization to Charge Additional Fees Due**

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 04-0500. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

**Instructions as to Overpayment**

- ☒ Please credit any overpayment to Deposit Account No. 04-0500.

  
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Date: November 1, 2005

Certificate of Transmission by Facsimile Under 37 CFR §1.8	
I hereby certify that this correspondence, along with all documents referred to as being enclosed herewith, is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 1, 2005, at the facsimile number listed below.	
Facsimile Number: (571) 273-8300	
Name: <u>Linda P. Jewell</u>	Signature: <u>Linda P. Jewell</u>

Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	10/613,241
				Filing Date	July 3, 2003
				First Named Inventor	Michael Keller
				Art Unit	1771
				Examiner Name	Juska, Cheryl Ann
Sheet	1	of	1	Attorney Docket Number	5635

[illegible]

Examiner Signature		Date Considered	
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